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|------------------------------------|---|---------------------|
| In re Application of | : | |
| CARBONE, et al. | : | DECISION ON RENEWED |
| U.S. Application No.: 09/582,297 | : | |
| PCT No.: PCT/US98/27268 | : | PETITION UNDER |
| Int. Filing Date: 22 December 1998 | : | |
| Priority Date: 24 December 1997 | : | 37 CFR 1.47(a) |
| Attorney Docket No.: 06975-029006 | : | |
| For: ASYNCHRONOUS DATA PROTOCOL | : | |

This decision is in response to applicant's "PETITION UNDER 37 CFR 1.47(a)" filed 04 January 2002 and second status inquiry filed 05 March 2002. In addition, on 08 April 2002 applicant faxed in a copy of a declaration executed by inventor Mr. Robert D. Greenlee attesting that it was a true and complete copy of an executed declaration originally filed with the present renewed petition.

BACKGROUND

In a decision dated 27 July 2001, applicant's "Renewed Petition Under 37 CFR 1.47(a)" to accept the application without the signature of inventor Greenlee was dismissed. Applicant was given a period of two months in which to respond and informed that no further petition fee was required.

On 04 January 2002, applicant filed the present "Petition Under 37 CFR 1.47(a)" accompanied by a request for a four-month extension of time and payment of the appropriate petition fee. With the filing of the request and payment of the extension fee, the renewed petition is considered to be timely filed.

On 08 April 2002, applicant filed by facsimile a combined declaration and power of attorney executed by inventor Greenlee.

DISCUSSION

The declaration filed 08 April 2002 is acceptable under 37 CFR 1.497. Applicant has now provided executed declarations from all inventors which are acceptable under 37 CFR 1.497.

CONCLUSION

For the reasons above, applicant's "Renewed Petition Under 37 CFR 1.47(a)" is **DISMISSED** as **MOOT**.

The application has an international filing date of **22 December 1998** and will be given a date of **08 April 2002** under 35 U.S.C 371(c).

This application is being returned to the DO/EO/US for processing in accordance with this decision.



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